



Appendix J

Legal Agreements Involving the Ysleta Del Sur Pueblo

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FILED

AUG 17 2000

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____

**YSLETA DEL SUR PUEBLO and
RICK QUESADA,**

Plaintiffs,

V.

**UNITED STATES BUREAU OF
RECLAMATION, UNITED STATES
INTERNATIONAL BOUNDARY AND
WATER COMMISSION, and
DOUGLAS ECHLIN,**

Defendants.

[illegible]

NO. EP-CA-0205-DB

**STIPULATION FOR PARTIAL DISMISSAL
BASED UPON PARTIAL SETTLEMENT**

WHEREAS the Plaintiffs Ysleta del Sur Pueblo ("Pueblo") and Rick Quesada, and Defendants United States Bureau of Reclamation ("BOR"), United States Section of the International Boundary and Water Commission ("IBWC") and Douglas Echlin ("the Parties") have settled and comprised all claims in this matter made by the Plaintiffs in the First Amended Complaint for Injunctive Relief relating to alleged violations of the National Environmental Policy Act ("NEPA") and the American Indian Religious Freedom Act ("AIRFA"), as evidenced by the Partial Settlement Agreement attached herein as Exhibit A, the Parties hereby stipulate and agree that:


1. The NEPA and related AIRFA claims alleged in the First Amended Original Complaint for Injunctive Relief in the above-captioned action shall be dismissed with prejudice;
2. Plaintiffs' Motion for a Preliminary Injunction and Order for Expedited Hearing shall be dismissed as moot.

3. Plaintiffs shall file an amended complaint by November, 27, 2000 which amends the First Amended Original Complaint for Injunctive Relief to eliminate all currently pled NEPA and related AIRFA allegations, claims, and requests for relief, and dismisses Douglas Echlin as a Defendant in this action.

4. Defendants shall answer, plead, or otherwise respond to the November 27, 2000, amended complaint referenced in Paragraph 3 above no later than January 26, 2001.

DATED this 17th day of August, 2000.

YSLETA DEL SUR PUEBLO and
RICK QUESADA



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ATTORNEYS FOR DEFENDANTS

Without admitting or conceding any wrongdoing or liability by any party, and without waiving any defenses the Defendants may have, the parties hereby enter into the following Agreement.


1. The Defendants agree to extend the issue date for the Final Environmental Impact Statement ("FEIS") for the El Paso/Las Cruces Regional Sustainable Water Project from August 25, 2000 to November 27, 2000.
2. The parties agree that between the date of this Agreement and the due date for the FEIS, the IBWC will engage in a face-to-face dialogue to discuss the Pueblo's allegations of impact of the proposed project on the Pueblo, specifically the alleged impact on the Pueblo's First Amendment rights and its religion, and the Pueblo's proposal for reducing the alleged impact.
3. The parties agree to exchange information, including, but not limited to, the Pueblo's quantification of its claimed right to instream flows and the legal basis for such claim, to facilitate the discussions referenced in Paragraph No. 2 above. The parties agree to establish a schedule for face-to-face meetings, including, but not limited to, meetings between counsel, the parties, and/or each party's experts, and to accomplish the exchange of information.
4. In consideration of the compromise and settlement of the NEPA and related AIRFA claims set forth in the First Amended Original Complaint for Injunctive Relief, these NEPA and related AIRFA claims shall be dismissed with prejudice. Plaintiffs shall file an amended complaint which amends the First Amended Original Complaint for Injunctive Relief by November 27, 2000, to eliminate the NEPA and related AIRFA

allegations, claims, and requests for relief. Plaintiffs also agree to dismiss Douglas Echlin as a Defendant in the November 27, 2000, amended complaint. The Plaintiffs shall not add new allegations, claims, or requests for relief, or additional defendants, to this amended complaint. Defendants agree to not oppose the filing of the amended complaint described herein. The Plaintiffs do not waive any right they may have to assert any subsequent violation of NEPA and AIRFA.

5. The Plaintiffs agree that the Defendants shall answer, plead, or otherwise respond to the amended complaint described in Paragraph No. 4 no later than January 26, 2000.
6. Plaintiff's Motion for Preliminary Injunction and Order Expediting Hearing filed on July 11, 2000 shall be dismissed as moot.
7. The parties do not waive any right they may have to assert a violation of this Agreement.
8. Each party shall bear its own costs and attorney's fees.

SIGNED on the 16th day of August, 2000.

YSLETA DEL SUR PUEBLO and
RICK QUESADA



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ATTORNEYS FOR PLAINTIFFS

SIGNED on the 16th day of August, 2000.

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ATTORNEYS FOR DEFENDANTS

AUG 17 2000
DISTRICT

AUG 17 2000
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

AUG 18 2000

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY ICL
DEPUTY CLERK

Plaintiffs,

v.

Defendants.

[illegible]

NO. EP-CA-0205-DB

ORDER OF DISMISSAL OF NEPA AND RELATED AIRFA CLAIMS AND FILING OF AN AMENDED COMPLAINT

Plaintiffs Ysleta del Sur Pueblo ("Pueblo") and Rick Quesada, and Defendants United States Bureau of Reclamation ("BOR"), United States Section of the International Boundary and Water Commission ("IBWC") and Douglas Echlin having filed their Stipulation for Partial Dismissal Based on Partial Settlement, dated this 16th day of August, 2000, resolving all claims in this matter made by the Plaintiffs in the First Amended Original Complaint for Injunctive Relief relating to alleged violations of the National Environmental Policy Act ("NEPA") and the American Indian Religious Freedom Act ("AIRFA"), and the Court being fully advised in the premises, it is therefore ORDERED:

1. The NEPA and related AIRFA claims alleged in the First Amended Original Complaint for Injunctive Relief are dismissed with prejudice;

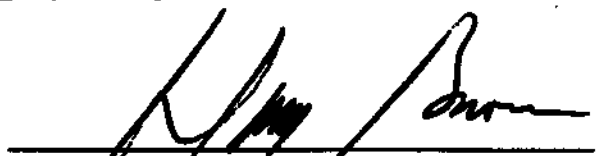
15.

2. Plaintiffs' Motion for a Preliminary Injunction and Order for Expedited Hearing is dismissed as moot.

3. Plaintiffs shall file an amended complaint by November 27, 2000 which amends the First Amended Original Complaint for Injunctive Relief to eliminate all currently pled NEPA and related AIRFA allegations, claims, and requests for relief, and dismisses Douglas Echlin as a Defendant in this action.

4. Defendants shall answer, plead, or otherwise respond to the November 27, 2000, amended complaint referenced in Paragraph 3 above no later than January 26, 2001.

SIGNED and ENTERED this 18th day of August, 2000.



DAVID BRIONES
UNITED STATES DISTRICT COURT JUDGE